

Public Notice – Environmental Permit

PURPOSE OF NOTICE: To seek public comment on an amendment of a Total Maximum Daily Load (TMDL) of a water body in Augusta County, Virginia from the Department of Environmental Quality.

First Public Notice Issue Date: April 27, 2009

PUBLIC COMMENT PERIOD: 30 days following first public notice issue date

AMENDMENT TO NAKED CREEK TMDL: Total maximum daily loads (TMDLs) have been developed for bacteria to address recreational uses in Naked Creek. This TMDL was approved by the Environmental Protection Agency on 5/21/2002 and can be found at the following website: <http://www.deq.virginia.gov/tmdl/apptmdls/shenrvr/nkdcreek.pdf>. DEQ proposes to amend the TMDL to accommodate an error that was found in the original TMDL model files used to model Naked Creek's water quality calibration and subsequent TMDL allocations. The revised TMDL will be changed to 48207×10^9 cfu/100ml, which as a lower number reflects the correct larger drainage area and watershed inputs into the stream. The revised allocation scenarios require a reduction of 100% from Cattle Direct Deposit, 55% from Wildlife Direct Deposit, 100% from straight-pipes, 97% from Pasture loads and 97% from residential areas. Updating the allocations and stated sections in the Naked Creek bacteria TMDL in accordance with this memo will protect and preserve water quality because they will replace the original and incorrect TMDL.

Downstream TMDLs will not be affected because they were modeled assuming all input tributaries were achieving water quality standards. This uses a concentration input, not a load input, and thus will be unaffected by the Naked Creek TMDL revision.

HOW TO COMMENT AND/OR REQUEST A PUBLIC Meeting: DEQ accepts comments and requests for public meeting by e-mail, fax or postal mail. All comments and requests must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons

represented by the commenter/requester. A request for public meeting must also include: 1) The reason why a public meeting is requested. 2) A brief, informal statement regarding the nature and extent of the interest of the requester or of those represented by the requestor, including how and to what extent such interest would be directly and adversely affected by the permit. 3) Specific references, where possible, to terms and conditions of the permit with suggested revisions. DEQ may hold a public meeting, including another comment period, if public response is significant and there are substantial, disputed issues relevant to the permit. This public comment period will conclude 30 days following the first public notice issue date, on May 25.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL
INFORMATION:

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